

EXHIBIT C

IN RE: CAPITAL ONE CONSUMER DATA SECURITY BREACH LITIGATION
Attorneys Eyes Only **Brian Bentzen on 11/17/2020**

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF VIRGINIA
3 ALEXANDRIA DIVISION

4

5

IN RE: CAPITAL ONE CONSUMER)
DATA SECURITY BREACH LITIGATION,) MDL No. 1:19md2915
(AJT/JFA)
)

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9
10 VIDEOTAPED WEBCAM DEPOSITION OF
11 BRIAN BENTZEN
12 CONDUCTED REMOTELY
13 NOVEMBER 17, 2020
14 10:00 A.M. (EST)

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1 APPEARANCES OF COUNSEL:

2
3 On Behalf of the Plaintiff:

4 (Appearance via webcam)
5 JILLIAN R. DENT, Esq.
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13

14 On Behalf of the Capital One Defendants:

15 (Appearance via webcam)
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18 1180 Peachtree Street, N.E.
19 Atlanta, GA 30309
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21 Pstarr@kslaw.com
22

23 On Behalf of the Amazon Defendants:

24 (Appearance via webcam)
25 TYLER G. NEWBY, Esq.
JANIE YOO MILLER, Esq.
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San Francisco, CA 94104
Tel: (415) 875-2300
Tnewby@fenwick.com
Jmiller@fenwick.com

26 Videographer: Roosevelt Harrison

27 - - -

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

13 MR. VAHLE: Ms. Dent, could I have tab
14 11, please.

15 (Plaintiff's Exhibit 768
16 marked for identification).

17 MR. NEWBY: I don't -- I'm not seeing
18 any of the exhibits showing up in the share file.

19 MR. VAHLE: If you attempt to refresh
20 it, it may help. But --

21 MR. NEWBY: I did.

22 MR. VAHLE: If Ms. Dent is having any
23 trouble, Jillian, please feel free to speak up on the
24 record.

25 MS. DENT: Tyler, they should be in the

1 folder, in the public folder labeled AWS 30(b)(6)

2 Bentzen, 11-17-2020. Do you see that?

3 MS. MILLER: Jillian, this is Janie.

4 Currently there's only tab 1.

5 MR. NEWBY: I found it now.

6 MR. STARR: That's right, I can only
7 see tab 1 as well.

8 MS. MILLER: I just copied over the
9 second tab that Barrett just asked for which should be
10 Exhibit 768.

11 MR. STARR: I see that.

12 MS. MILLER: Do you see it?

13 MR. STARR: I see Exhibit 768 now.

14 BY MR. VAHLE:

15 Q. Mr. Bentzen, I'll ask you to review briefly
16 or however slowly you wish this document, and then my

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

9 MR. VAHLE: Mr. Newby, can I have a
10 stipulation as to authenticity and the business
11 records exception to the hearsay rule as to Exhibit
12 768?

13 MR. NEWBY: So stipulated.

14 BY MR. VAHLE:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1 for that confusion caused by the document.

2 But interrogatory number two there asked AWS and
3 Amazon to describe any financial benefit or profit you
4 receive from helping Capital One -- helping build
5 Capital One's cloud environment. Do you see that?

6 A. I do.

7 Q. If you can turn now down to the page with
8 the page number 6 on it?

9 A. Can I read this one second?

10 Q. Of course you can. Take your time.

11 A. Okay, thank you. (Witness reviews
12 document). Okay.

13 Q. So if you could turn down to page six,
14 Mr. Bentzen, right there, and this is the answer that
15 Amazon gave on October 30th. And I just want to ask a
16 couple of followups on it. You see the first sentence

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

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Page 51

Bar Index	Approximate Length (%)
1	45
2	100
3	95
4	40
5	90
6	95
7	25
8	98
9	98
10	85
11	100
12	98
13	95
14	45
15	98
16	80
17	92
18	100
19	98
20	98
21	95
22	92
23	60
24	35
25	100
26	15

Bar Index	Approximate Length (%)
1	100
2	85
3	88
4	20
5	45
6	95
7	85
8	92
9	90
10	95
11	25
12	48
13	70
14	60
15	75
16	35
17	100
18	45
19	30
20	95
21	95
22	65
23	30
24	95
25	95

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

14 MR. NEWBY: Object to the form of the
15 question. You may answer if you know.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

18

MR. NEWBY: Object to the form.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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Bar Index	Approximate Length (%)
1	35
2	95
3	15
4	95
5	30
6	88
7	55
8	48
9	100
10	35
11	48
12	100
13	88
14	95
15	92
16	100
17	48
18	70
19	78
20	82
21	88
22	95
23	20
24	45
25	70

[REDACTED]

[REDACTED]

23 MR. VAHLE: And I'll just ask Mr. Newby
24 if AWS has not already produced the data file to
25 please do so.

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1 MR. NEWBY: The -- we can talk about
2 this offline, but I'll need a little more
3 clarification about what you mean.

4 MR. VAHLE: Sure.

5 BY MR. VAHLE:

[REDACTED]

800-333-2082

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[illegible]

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[REDACTED]

[REDACTED]

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[REDACTED]

10 MR. NEWBY: Objection to form.

11 MR. STARR: Objection to form.

[REDACTED]

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[REDACTED]

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[REDACTED]

1 I was contacted by the offices of
2 Huseby, Inc. to provide court
3 reporting services for this deposition.
4 I will not be taking this deposition under
5 any contract that is prohibited by O.C.G.A.
6 15-14-7 (a) or (b).

7 I have no written contract to
8 provide reporting services with any party
9 to the case, any counsel in the case, or
10 any reporter or reporting agency from whom
11 a referral might have been made to cover
12 this deposition. I will charge my usual
13 and customary rates to all parties in the
14 case.

15 This, the 29th day of November, 2020.

16 
17

18 STEVE S. HUSEBY, CCR-B-1372
19 My Commission Expires
20 December 3rd, 2022.
21
22
23
24
25